

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Wilbur L. Burton  
Sharon C. Burton**  
Debtor(s)

Bankruptcy Case No.: 18-24697-CMB  
Per August 26, 2021 Proceeding  
Chapter: 13  
Docket No.: 139 – 130, 131, 132  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 23, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Ally Bank (Cl #2) as long term continuing debt .
- ☒ H. Additional Terms: Atlantica LLC (Cl #10-2) paid per order of 7-13-21 at Doc. 137.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

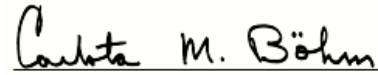
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 27, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Wilbur L. Burton  
Sharon C. Burton  
Debtors

Case No. 18-24697-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Aug 27, 2021

User: gamr  
Form ID: 149

Page 1 of 3  
Total Noticed: 29

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 29, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Wilbur L. Burton, Sharon C. Burton, 104 Westminister Drive, Verona, PA 15147-1638
cr	+ Atlantica, LLC, 14841 Dallas Pkwy Suite 425, Dallas, TX 75254-8067
cr	+ Specialized Loan Servicing, LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
15198037	Atlantica, LLC, C/O Land Home Financial Services, Attn: Payment Processing, P.O. Box 25164, Santa Ana, CA 92799-5164
14960616	Carrington, P.O. Box 79001, Phoenix, AZ 85062-9001
14976455	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
14960619	#+ Pittsburgh Eye Associates, 4424 Penn Avenue, Suite 101, Pittsburgh, PA 15224-1338
15069702	+ Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
14984626	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
14984832	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
14960621	Waterfront Surgery Center, 495 E. Waterfront Drive, Suite 110, Homestead, PA 15120-1151

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Aug 27 2021 23:23:03	Ally Bank, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: BKBCNMAIL@carringtonms.com	Aug 27 2021 23:21:00	Wilmington Savings Fund, FSB, et al., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806-5948
14986899	+ Email/Text: g20956@att.com	Aug 27 2021 23:21:00	AT&T Mobility II LLC, %AT&T SERVICES INC., KAREN A. CAVAGNARO PARALEGAL, ONE AT&T WAY, SUITE 3A104, BEDMINSTER, NJ. 07921-2693
14966419	Email/Text: ally@ebn.phinsolutions.com	Aug 27 2021 23:21:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14963289	+ Email/Text: ally@ebn.phinsolutions.com	Aug 27 2021 23:21:00	Ally Financial, Payment Processing, P.O. Box 9001952, Louisville, KY 40290-1952
14991516	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 27 2021 23:23:02	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
14994508	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 27 2021 23:22:47	Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
14990935	+ Email/Text: kbarkley@bernsteinlaw.com	Aug 27 2021 23:22:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14960617	Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 27 2021 23:22:47	Home Depot Credit Services, P.O. Box 9001010,

District/off: 0315-2

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Page 2 of 3

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			Louisville, KY 40290-1010
15160137	Email/PDF: resurgentbknofications@resurgent.com	Aug 27 2021 23:22:46	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
14961629	+ Email/PDF: rmscedi@recoverycorp.com	Aug 27 2021 23:22:55	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14960620	Email/Text: bankruptcynotices@psecu.com	Aug 27 2021 23:21:00	PSECU, P.O. Box 67013, Harrisburg, PA 17106-7013
14960618	Email/PDF: gecsed@recoverycorp.com	Aug 27 2021 23:23:02	PayPal Credit, P.O. Box 71202, Charlotte, NC 28272-1202
14964285	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Aug 27 2021 23:21:00	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
14993204	+ Email/Text: bncmail@w-legal.com	Aug 27 2021 23:21:00	SYNCHRONY BANK, c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
14988255	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Aug 27 2021 23:33:23	Verizon, by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838
14992194	+ Email/Text: BKBCNMAIL@carringtonms.com	Aug 27 2021 23:21:00	Wilmington Savings Fund Society, FSB, et al., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806-5948
14992192	+ Email/Text: BKBCNMAIL@carringtonms.com	Aug 27 2021 23:21:00	c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806-5951

TOTAL: 18

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FV-I, Inc. in trust for Morgan Stanley Mortgage Ca
cr		Morgan Stanley Mortgage Capital Holdings LLC
cr		PA Dept of Revenue
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	*+	Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
14990375	*+	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
15162804	*+	Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

TOTAL: 3 Undeliverable, 7 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 29, 2021

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: gamr

Page 3 of 3

Date Rcvd: Aug 27, 2021

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 27, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Atlantica LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Morgan Stanley Mortgage Capital Holdings LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor FV-I Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC bnicholas@kmlawgroup.com
Joseph Jasper Swartz	on behalf of Creditor PA Dept of Revenue RA-occbankruptcy2@state.pa.us RA-occbankruptcy6@state.pa.us
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Michael J Shavel	on behalf of Creditor Wilmington Savings Fund FSB, et al. mshavel@hillwallack.com, ldejesus@hillwallack.com;lharkins@hillwallack.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Rodney D. Shepherd	on behalf of Debtor Wilbur L. Burton rodsheph@cs.com
Rodney D. Shepherd	on behalf of Joint Debtor Sharon C. Burton rodsheph@cs.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 11